

Appl. No. 09/872,197  
Amdt. Dated 07/28/2006  
Reply to Office action of May 1, 2006

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### REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed May 1, 2006. In the Office Action, claims 1-3, 5-7, 9-11, 13-15, 17-19, and 21-23 stand rejected under 35 U.S.C. § 102, and claims 4, 8, 12, 16, 20, and 24 stand rejected under 35 U.S.C. § 103.

Applicants have amended independent claims 1, 9, and 17 to further clarify embodiments of the invention.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

#### *Rejection Under 35 U.S.C. § 102*

Claims 1-3, 5-7, 9-11, 13-15, 17-19, and 21-23 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,564,379 issued to Knudson et al. (hereinafter Knudson).

Applicants have amended independent claims 1 and 9 such that they generally relate to programs for: displaying a plurality of different channel identifiers ...selecting one of the plurality of different channel identifiers in response to a first input...displaying a pop-up for the selected channel identifier on the display device while still displaying the plurality of channel identifiers...wherein...the pop-up displays first program data associated with a first program of the selected channel identifier in response to the first input and the user interface receives a second input while the pop-up is displaying the first program data...and...the pop-up displays second program data associated with a second program of the selected channel identifier in response to the second input.

Applicants have amended independent claim 17 such that it generally relates to a method for: displaying a plurality of different channel identifiers on a display device...receiving a first input to select one of the plurality of different channel identifiers...displaying a pop-up for the selected channel identifier on the display device while still displaying the plurality of different channel identifiers... the pop-up displaying first program data associated with a first program of the selected channel identifier...and...receiving a second input while the pop-up is displaying the

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first program data...and...the pop-up displaying second program data associated with a second program of the selected channel identifier in response to the second input.

In one embodiment, an example is set forth in Applicants' patent application, and particularly described with reference to Figure 2 of Applicants' patent application, in which a plurality of different channel identifiers 106a are displayed on a display device and a pop-up 212 for the selected channel identifier 204 (e.g. USA NETWORK) displays first program data 107a associated with a first program (e.g. LAFEMME NIKITA) while still displaying the plurality of different channel identifiers 106a. Based upon a second input (e.g. a next selection) while the pop-up for the selected channel identifier is displaying the first program data, pop-up 240 next displays second program data associated with a second program (e.g. LETHAL WEAPON) of the same selected channel identifier 204 (e.g. USA NETWORK) in response to the second input while still displaying the plurality of different channel identifiers 106a.

Applicants respectfully submit that amended independent claims 1, 9 and 17 are not anticipated by Knudson.

MPEP § 2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The identical invention must be shown in as complete detail as contained in the ... claim." (Emphasis added). *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

Applicants respectfully submit that Knudson does not describe or suggest the limitations of Applicants' amended independent claims 1, 9, and 17. Particularly, Applicants respectfully submit that Knudson does not describe or suggest: displaying a plurality of different channel identifiers on a display device... selecting one of the plurality of different channel identifiers in response to a first input... and displaying a pop-up for the selected channel identifier on the display device while still displaying the plurality of different channel identifiers...

As shown in Figures 4 and 5 of Knudson, and as described in the associated description of col. 6, lines 26-63 of Knudson, as cited by the Examiner, Knudson describes:

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A conventional program guide browse display arrangement is shown in FIG. 4. Video for the current channel to which the user's set-top box is tuned (i.e., the current channel that the user is viewing) is displayed on the user's television screen 68. When the user presses a remote control cursor key, browse display 70 is provided as an overlay on top of screen 68. Initially, browse display 70 contains program listings information for the current channel and time (e.g., channel 6 and 10:30 AM), as shown on the upper screen in FIG. 4. If the user presses a cursor key, the video for the current channel that is displayed on screen 68 is not changed, but the program listings information in browse display 70 is changed to the next available channel (e.g., channel 7), as shown on the lower screen in FIG. 4...A conventional flip display arrangement is shown in FIG. 5. Video for the current channel to which the user is tuned is displayed on screen 74. When the user presses a remote control channel up or down key, flip display 76 is provided as an overlay on top of screen 74. As shown on the upper screen in FIG. 5, flip display 76 contains program listings information for the current channel (e.g., channel 6). If the user presses a channel up or down key, the video for the current channel that is displayed on screen 74 is changed to the next available channel (e.g., channel 7) and the program listings information in flip display 76 is also changed to the next available channel (e.g., channel 7)...(Emphasis added).

Thus, Knudson relates to a conventional program guide having a browse or flip display that is overlayed on the screen, near the bottom of the screen, so that a viewer can watch video while cycling through channel program data contained in the overlay for different channels.

Knudson does not describe or suggest displaying a plurality of different channel identifiers on the display device. Further, Knudson does not describe or suggest selecting one of the plurality of different channel identifiers and displaying a pop-up for the selected channel identifier on the display device while still displaying the plurality of different channel identifiers.

Additionally, Knudson does not describe or suggest wherein the pop-up displays first program data associated with a first program of the selected channel identifier in response to a first input and the user interface receives a second input while the pop-up is displaying the first program data...and...the pop-up displays second program data associated with a second program of the selected channel identifier in response to the second input.

In view of the above, Applicants respectfully submit that Knudson either alone, or in combination with the other cited references, does not describe or suggest the limitations of

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Applicants' amended independent claims 1, 9 and 17. Therefore, Knudson does not anticipate or render obvious Applicants' amended independent claims.

Accordingly, Applicants respectfully submit that amended independent claims 1, 9 and 17, and the claims that depend therefrom, should be allowed and passed to issuance.

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### Conclusion


In view of the remarks made above, it is respectfully submitted that pending claims 1-24 are allowable over the prior art of record. Thus, Applicants respectfully submit that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 07/28/2006

By

  
Eric T King  
Reg. No. 44,188  
Tel.: (714) 557-3800 (Pacific Coast)

12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025

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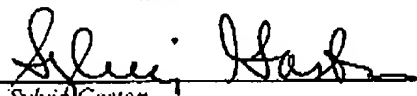
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